

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**BASF AGRO B.V., ARNHEM (NL),  
WÄDENSWIL BRANCH, BAYER  
S.A.S., and MERIAL LIMITED,**

**Plaintiffs,**

**v.**

**CHEMINOVA, INC.,**

**Defendant.**

**Civil Action No. 10-cv-274**

**[PROPOSED] ORDER**

Plaintiffs BASF AGRO B.V., ARNHEM (NL), WÄDENSWIL BRANCH, BAYER S.A.S., and MERIAL LIMITED filed a Motion for Protective Order Vacating the Notice of June 2, 2011 Deposition of Professor Michael Potter. It appearing to the Court that good cause exists for Plaintiffs' Motion,

IT IS HEREBY ORDERED that Plaintiffs' Motion for Protective Order Vacating the Notice of June 2, 2011 Deposition of Professor Michael Potter is GRANTED.

IT IS FURTHER ORDERED that Professor Potter's deposition may be rescheduled until a date shortly after the Court has issued its complete *Markman* order and considered Plaintiffs' forthcoming motion for clarification of the Court's May 27, 2011 Order [D.I. 173] in *BASF Agro B.V. et al. v. Makhteshim Agan of North America, Inc., et al.*, Civ. A. No. 10-276.

This the \_\_\_\_ day of \_\_\_\_\_, 2011.